

OGC Has Reviewed

PAY

Advances.

4 March 1947

*File
Legal
Decisions*

MEMORANDUM FOR CHIEF, FBX

Subject: Request for Advance of Salary

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1. The request from Mr. [REDACTED] for an advance of salary, dated 26 February 1947, was referred to this office by [REDACTED] for opinion on the propriety of such an advance under Special Funds Regulations. The request had the recommendation of the Chief, Special Operations.

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2. It appears that the basic consideration is the establishment of a mission in a locality where no facilities exist which can be purchased or rented, and consequently the incumbent will have to take from this country complete equipment from food to furniture. This will require the immediate outlay of a considerable sum of money, stated in this case to be \$4,000. It is our understanding that [REDACTED] is unable to afford personal funds in this amount at this time. It is our further understanding that [REDACTED] was willing to take an ordinary bank loan on his own responsibility from his bank, but that such a loan would have required the furnishing of information considered confidential by this office. Consequently, [REDACTED] was instructed by this office not to enter into such a transaction. If it is administratively determined that the project involved is a proper one for this office to undertake and it is further administratively determined that the expenditure for equipment is necessary to the project, there would be no legal objection to an operational advance in the amount requested. On the theory that security prevents obtaining the money in any other fashion, such an advance should be supported by the individual's personal note and an accompanying letter acknowledging the whole circumstances of the transaction and stating the manner in which re-payment would be made. Since the advance would be made in the interests of the official operations of this office, it should be considered an "operational" rather than a "personal" advance. The administrative determination in this case is within the discretion of the ADSO.

LAWRENCE R. HOUSTON
General Counsel

LRR/ell